

2023 -- H 5159 AS AMENDED

=====
LC000159
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

—————
A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- PARKING FACILITIES AND
PRIVILEGES

Introduced By: Representatives McGaw, McNamara, Carson, Speakman, Ackerman,
Potter, Donovan, Ajello, Kislak, and Tanzi

Date Introduced: January 19, 2023

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 31-28 of the General Laws entitled "Parking Facilities and
2 Privileges" is hereby amended by adding thereto the following sections:

3 **31-28-11. Installation of electric vehicle charging stations -- Definitions.**

4 As used in this section and § 31-28-12, the following words shall have the following
5 meanings:

6 (1) "Commercial" includes, but is not limited to, any parking lot servicing box stores,
7 grocery markets, strip malls, shopping malls, shopping centers, and hotels or motels.

8 (2) "Electric vehicle charging station" (EVCS) means a public parking space that is served
9 by either "EV capable" or "EV ready" charging equipment.

10 (3) "EV capable" means electrical vehicle charging stations that have electrical panel
11 capacity and space to support a minimum 40-ampere, 208/240-volt dedicated branch circuit for
12 each EV parking space, and the installation of raceways (enclosed conduit that forms a physical
13 pathway for electrical wiring), both underground and surface mounted, to support electric vehicle
14 supply equipment (EVSE).

15 (4) "EV ready" means a designated parking space with one 40-ampere, 208/240-volt
16 dedicated branch circuit for EVSE servicing electric vehicles. The circuit shall terminate in a
17 suitable termination point such as a receptacle, junction box, or an EVSE, and be located in close
18 proximity to the proposed location of the EV parking spaces.

1 (5) "Housing" means any new, existing, or rehabilitated private housing developments with
2 more than twenty (20) units, that provide residential or public parking.

3 (6) "Large employer" means any employer, with over one hundred (100) employees located
4 in a single complex, that owns and operates a parking lot for employee use.

5 (7) "Municipal" means any parking lot servicing a municipal building, including, but not
6 limited to, schools, public safety facilities, town or city hall, library, public administration offices,
7 and recreational facilities.

8 (8) "Public funding" means any funds including, but not limited to, funds derived from
9 federal, state or municipal sources; in-kind remuneration from any federal, state or municipal
10 source; gifts or grants from any federal, state or municipal source; revenue sharing or other federal,
11 state or municipal payments of any nature, intergovernmental transfers; tax stabilization
12 agreements, revenues resulting from the sale of state or municipal bonds; or by the sale or lease of
13 any property owned by the federal government, the State of Rhode Island, and/or any municipality
14 of the state.

15 **31-28-12. Installation of electric vehicle charging stations -- Designated parking**
16 **spaces.**

17 (a) All new parking lots and existing lots that undergo an expansion of the number of
18 parking spaces by fifty percent (50%) or more, shall create designated parking spaces for electric
19 vehicles.

20 (b) Each electric vehicle parking space shall have either an EV-ready or EV-capable public
21 level 2, or DC fast charger, or a dual port charger to be shared by two (2) parking spaces.

22 (c) Projects awarded or under development prior to January 1, 2024, are exempt from the
23 requirements of this section. Beginning January 1, 2024, the installation of electric vehicle charging
24 stations and the designation of parking spaces shall be required when there is:

25 (1) Construction of a parking lot for a new building or new off-street parking facility;

26 (2) An additional parking lot added to an addition for an existing building; or

27 (3) A parking lot increased in size to add fifty percent (50%) or more parking spaces.

28 (d) Commercial, municipal, large employer, and housing parking lots shall designate
29 electrical vehicle parking spaces based on the number of parking spaces provided in accordance
30 with the following table below. Calculations for the required number of EV spaces shall be rounded
31 up to the nearest whole number.

<u>TOTAL NUMBER OF PARKING SPACES</u>	<u>NUMBER OF REQUIRED EV SPACES</u>
<u>0-9</u>	<u>0</u>
<u>10-25</u>	<u>1</u>

1 [26-50](#) 2

2 [51-75](#) 4

3 [76-100](#) 5

4 [101-150](#) 7

5 [151-200](#) 10

6 [201 and over](#).....six percent (6%) of total

7 [\(e\) Electric vehicle parking restrictions and violations shall be enforced pursuant to the](#)
 8 [provisions of §§ 31-21-18 and 31-41.1-4 relating to the fine imposed for electric vehicle charging](#)
 9 [station restrictions.](#)

10 [\(f\) The owner of any facility or business which fails to comply with the provisions of this](#)
 11 [section shall be subject to a penalty set and enforced by the local or state authorities on public or](#)
 12 [private property when the location of the parking spaces is within the purview of the state building](#)
 13 [code, chapter 27.3 of title 23.](#)

14 [\(g\) The office of energy resources shall provide recommendations to improve electrical](#)
 15 [vehicle charging infrastructure in underserved communities. In the development of these](#)
 16 [recommendations, the office of energy resources may request and be furnished with information](#)
 17 [from municipalities, an electric distribution company, the Rhode Island department of](#)
 18 [transportation, community boards and nonprofits representing municipal interests. The office of](#)
 19 [energy resources shall develop these recommendations by January 31, 2024.](#)

20 [\(h\) Municipalities shall provide the office of energy resources with semiannual reports on](#)
 21 [the number of installed public charging stations, location of the charging stations, and total number](#)
 22 [of charging stations in the community. The office of energy resources shall make this information](#)
 23 [available to the public on the agency's website.](#)

24 [\(i\) The provisions of this section shall only apply to new projects awarded subsequent to](#)
 25 [January 1, 2024 that receive any form of public funding.](#)

26 SECTION 2. This act shall take effect on July 1, 2023.

=====
 LC000159
 =====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- PARKING FACILITIES AND
PRIVILEGES

1 This act would require the installation of designated electric vehicle parking spaces, with
2 charging capabilities by certain businesses, municipalities, and housing developments in existing,
3 new, or expanded parking lots commencing January 1, 2024.

4 This act would take effect on July 1, 2023.

=====
LC000159
=====